



City of Cambridge

Consent Agenda # 17

IN CITY COUNCIL

December 18, 2000

An Order Establishing the Marsh Neighborhood Conservation District

ORDERED: By order of the City Council of the City of Cambridge as follows:

I. Designation of The Marsh Neighborhood Conservation District.

Pursuant to section 2.78.190, B. of the Code of the City of Cambridge, there is hereby designated as a neighborhood conservation district The Marsh Neighborhood Conservation District having the boundaries set forth on the map entitled "The Marsh Neighborhood Conservation District" which District shall be administered by a commission to be known as "The Marsh Neighborhood Conservation District Commission" appointed by the City Manager pursuant to section 2.78.160, A. of the Code of the City of Cambridge. The reasons for the designation of the District are those set forth in the Final Report of The Marsh Neighborhood Conservation District Study Committee dated October 19, 2000 and accepted by the Cambridge Historical Commission on November 16, 2000, which reasons shall guide the Commission in its administration of the District.

II. Membership.

Pursuant to section 2.78.160, B., The Marsh Neighborhood Conservation District Commission (hereafter, the Commission) shall consist of five members and three alternates. The members shall include three residents of the neighborhood, not less than two of whom shall be homeowners; one neighborhood property owner (who may or may not be a neighborhood homeowner); and one member or alternate of the Cambridge Historical Commission. The three alternates shall all be neighborhood property owners. At least two of the members or alternates shall have professional qualifications in real estate, architecture, or historic preservation; and at least one other member or alternate shall have professional qualifications in landscape architecture, urban planning, law, or geotechnical engineering. The members of the Commission shall be appointed with regard to the diverse viewpoints expressed in the creation of the District.

III. Factors to be considered by the Commission.

The Commission shall apply the following guidelines and criteria in addition to those contained in section 2.78.220 A. and B. in considering applications for certificates of appropriateness, nonapplicability, and hardship in the Marsh Neighborhood Conservation District.

A. Specific Objectives and Principles for The Marsh Neighborhood Conservation District

The following objectives and principles are to be applied in considering applications for certificates of appropriateness or hardship. The Commission shall endeavor to:

1. Conserve the historic architectural character of the neighborhood, including the modest character that typifies the mid to late 19th-century workers' housing of the neighborhood, and the overall simplicity of its traditional wood-frame vernacular architecture.
2. Conserve the historic development patterns of the neighborhood, including its dense network of short, through-block streets, courts, and ways.
3. Conserve views through yards and between houses to maintain the pattern of visual layering that characterizes The Marsh's streetscapes while respecting the residential privacy of individual properties.
4. Allow for architectural diversity and individualized alterations while respecting the traditional small scale of the housing stock.
5. Encourage the planting of trees and greenery to enhance the landscape amenities of the neighborhood.
6. Encourage low fences to define the street edge while protecting views of houses and through yards.
7. Consider traffic impacts of proposed development as they may affect traditional street patterns and pedestrian activity.

B. General Criteria

All applications shall be considered in terms of the impact of the proposed new construction, demolition or alteration of an existing structure on the District as a whole, and in addition with regard to the following factors:

1. the architectural and historical significance of the structures on the site, if any;

2. the physical characteristics of the site, including but not limited to existing vegetation and topography; and
3. the potential adverse effects of the proposed construction, demolition, or alteration on the surrounding properties, and on the immediate streetscape.

C. Specific Factors to Be Considered

In addition to the General Criteria set forth in subsection 4. B. above, and consistent with the General Conservation Objectives and Principles set forth in subsection 4.A. above, the Commission shall base its decisions on the following specific factors when considering applications for appropriateness or hardship.

1. *Construction of a new structure.*

Review of the design of a proposed new structure or substantial addition to an existing structure shall be made with regard to the compatibility of the building with its surroundings, and the following elements of the proposal shall be among those considered:

- a. site layout;
- b. provisions for parking;
- c. volume and dimensions of the structure;
- d. provision for open space and landscaping;
- e. the scale of the structure in relation to its surroundings; and
- f. the effect on the water table or subsoil conditions of adjacent properties.

2. *Demolition of an existing structure.*

In evaluating an application to demolish a structure, the Commission shall review and consider the following factors:

- a. the architectural and historical significance of the structure of which any portion is to be demolished, giving recognition to its eligibility or listing on the National Register of Historic Places;
- b. the physical condition of the structure and its subsoil conditions if applicable;

- c. a claim of substantial hardship, financial or otherwise; and
- d. the design of the proposed replacement structure, if any.

3. Alteration to existing structures.

Review of proposed alterations to an existing structure (including alterations that may constitute or involve new construction or demolition, as to which, factors described in the preceding paragraphs 1. and 2. may also apply), and of all other features not exempted from review under Section IV. above, shall be made with regard to the following additional factors:

- a. the extent to which the integrity of the original design has been retained or previously diminished;
- b. the consistency of the proposed alteration with the character, scale, massing, and detailing of surrounding properties; and
- c. the proximity of adjacent surrounding structures.

IV. Review Authority.

Pursuant to section 2.78.190, B., the Commission shall review all construction, demolition or alteration that affects the exterior architectural features, other than color, within the neighborhood conservation district that is visible from any public way in Cambridge or in Boston. The authority of the Commission shall be binding except with regard to the categories of structures or exterior architectural features identified in Section V., Exemptions.

V. Exemptions.

The authority of the Commission shall not extend to the following categories of structures or exterior architectural features, and such structures or features may be constructed or altered without review by the Commission.

- A. Terraces, walks, driveways, sidewalks and similar structures substantially at grade level, provided, however, that they are not to be used for parking between the street and either the principal front wall plane of a building or the principal front and side wall planes of a building that occupies a corner property.

- B. Walls and fences four feet high or less as measured from the grade of the sidewalk or the surface of the ground immediately below the wall or fence, whichever grade is lower.
- C. Storm doors and windows, screens, window air conditioners, trelliswork and similar appurtenances.
- D. Flat skylights or solar collectors parallel to and in close contact with the plane of the roof provided that all new and existing skylights and collectors are not larger than one-third of the area of the roof plane in which they are installed.
- E. Intake and exhaust vents of less than one square foot in area provided only that no more than two such vents are installed on an elevation.
- F. Permanent exterior lighting provided that it is installed in a manner that will prevent direct light from shining onto any adjacent property.
- G. Chimney caps provided they are installed in a manner that will allow their removal without altering the structure or appearance of the chimney.

VI. Determinations by the Commission.

The Commission shall make its determinations within 45 days after the filing of a complete application for a certificate of appropriateness, nonapplicability, or hardship, or such further time as the applicant may in writing allow.

Any completed application not acted upon within such period shall be deemed to be approved.

In no case shall a building permit be issued until the Commission has made a determination under the applicable provisions of Chapter 2.78, Article III of the Code of the City of Cambridge.

VII. Coordination with other agencies and boards.

The Board of Zoning Appeals, Commissioner of Inspectional Services, The Marsh Neighborhood Conservation District Commission, and other city boards, agencies and officials are directed to coordinate all review, hearing, permitting and other procedures relative to physical changes with the District to the extent practicable, consistent with their respective responsibilities and with the Specific Objectives and Principles for the Marsh Neighborhood Conservation District, Section III, A. In addition, the Marsh Neighborhood Conservation District Commission shall call to the attention of appropriate governmental agencies apparent ongoing violations of provisions of codes or ordinances administered by those agencies.

VIII. Ordinary Maintenance and Repair.

Nothing in this Order shall be construed to prevent the ordinary maintenance, repair or replacement of any exterior architectural feature or structure within The Marsh Neighborhood Conservation District which does not involve a change in the design, material, or outward appearance thereof, nor to prevent landscaping with plants, trees or shrubs, nor construed to prevent the meeting of requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition, nor construed to prevent any construction or alteration under a permit duly issued prior to the effective date of this Order.

IX. Report to City Council.

The Cambridge Historical Commission shall submit a report, not later than the fourth anniversary of the date of this Order, to the City Manager and the City Council summarizing the activities of The Marsh Neighborhood Conservation District Commission during the three years following the date of this Order. In preparing this report, the Cambridge Historical Commission shall hold a public hearing to determine the opinion of neighborhood residents. The report shall also submit any recommendations that the Historical Commission may have with respect to amending the powers, responsibilities and procedures of The Marsh Neighborhood Conservation District Commission and/or other provisions of this Order affecting The Marsh Neighborhood Conservation District.

Map

The Marsh Neighborhood Conservation District as recommended by the Marsh NCD Study Committee

In City Council December 18, 2000.

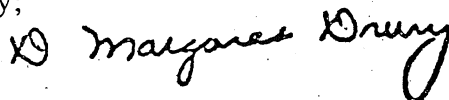
Adopted by a ye and nay vote:-

Yeas 9; Nays 0; Absent 0.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-



D. Margaret Drury
City Clerk

Marsh Neighborhood Conservation District
Cambridge, Massachusetts

October 19, 2000

